

Application No.: 10/762,776
Amendments dated May 1, 2007
Response

REMARKS

By the paper mailed December 13, 2006, the Examiner objected to claims 6, 9 and 16 because of certain informalities. These claims have been amended and as amended are believed to correct the informalities identified by the Examiner.

Claim 9 was rejected under 35 U.S.C. §112, second paragraph. By this amendment claim 9 has been amended to depend on claim 7 rather than upon claim 9.

Applicant's attorney wishes to take this opportunity to thank the Examiner for her kind assistance in pointing out the informalities in the claims.

By this amendment, claims 1 – 20 have been amended and new claims 21 and 22 have been added. As will presently be discussed, amended claims 1-20 as well as new claims 21 and 22 are believed clearly distinguishable over the art of record.

Claims 1, 4, 6, 7, 9, 10, 14 and 16 were rejected under 35 U.S.C. §102(b) as being anticipated by Leone. These claims have been amended and for reasons presently to be described are believed clearly distinguishable from and not anticipated by Leone.

REMARKS continued

Claims 1, 5 - 8, 10, 13, 15, 17, 19 and 20 were rejected under 35 U.S.C. §102(e) as being anticipated by Leek. These claims have been amended and for reasons presently to be described, as amended, are believed clearly distinguishable from Leek.

Claims 2 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Leone Figure 4 in view Leone Figure 8. By this amendment claims 2 and 11 have been amended and, as amended, are believed clearly distinguishable from and non-obvious in view of the references of record.

Turning to the references of record, the patent to Leone discloses a bracket assembly having a first portion F engaging a first elongate structural member 12 and a second portion S engaging a second structural member 14. However, nowhere does Leone disclose or suggest a bracket assembly for interconnecting first and second elongate structural members wherein the bracket assembly comprises first and second cooperating brackets disposed in engagement with the first and second elongate structural members in a confronting relationship with one another as now defined in the amended claims. Nor does Leone disclose or suggest connector means comprising first and second bolts for interconnecting the first and second cooperating brackets to the first and second elongate structural members and to each other as now specifically set forth in the claims as amended

REMARKS continued

and in the new claims that have been added. Leone does disclose two bracket assemblies 16 and 46, but the bracket assemblies are not disposed in a confronting relationship, nor are they interconnected by first and second bolts as now required by amended claim 1 and by new claims 21 and 22. Similarly, Leone fails to disclose or suggest Applicant's important gusset arrangement, i.e., the important first, second and third walls as set forth in the claims.

Antecedent basis for the claim amendments can be found on page 8 of the Specification.

Claims 2 - 9 depend on amended claim 1 and partake of its allowability.

Claim 10 has been amended to provide for "a bracket assembly for interconnecting first and second elongate structural members, said bracket assembly comprising substantially identical first and second cooperating brackets aligned in a confronting relationship and connector means for connecting said first and second cooperating brackets to the first and second elongate structural members and to each other..." For the reasons discussed in connection with amended claim 1, it is respectfully submitted that Leone neither discloses nor suggests a bracket assembly such as that defined by amended claim 10.

Claims 11 - 16 depend on claim 10 and partake of its allowability.

REMARKS continued

Claim 17 has been amended in a similar fashion and, as amended, defines "a bracket assembly for interconnecting first and second elongate structural members, said bracket assembly comprising first and second cooperating brackets and connector means comprising spaced apart bolts for interconnecting together said first and second cooperating brackets and for connecting said first and second elongate structural members...." Once again, it is respectfully submitted that the Leone reference neither discloses nor suggests a bracket assembly of the character defined in amended claim 17.

The reference to Leek discloses a bracket assembly having a first portion F engaging a first elongate structural member 60 and a second portion S engaging a second elongate structural member 7. As was the case with the Leone reference, it is respectfully submitted that Leek neither discloses nor suggests a bracket assembly of the character defined in the amended claims and in new claims 21 and 22. More particularly, Leek neither discloses nor suggests a bracket assembly for interconnecting first and second elongate structural members comprising first and second cooperating brackets aligned a confronting relationship and connector means comprising first and second bolts for interconnecting the first and second cooperating brackets to the elongate structural members and to each other. Once again, Leek fails to disclose Applicant's novel and important gusset arrangement.

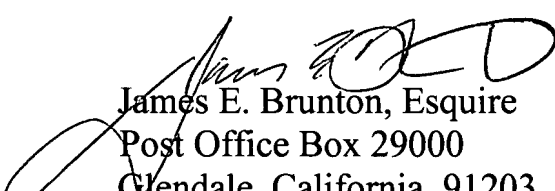
REMARKS continued

Accordingly, it is believed that the claims, as amended, are clearly distinguishable from and not anticipated by the patent to Leek.

The patent to Moehlenpah is believed relied upon by the Examiner to show spaced apart, lanced out areas which form protruding tabs. However, this reference neither discloses nor suggests a bracket assembly of the character now defined in the amended claims and in the claims that have been added.

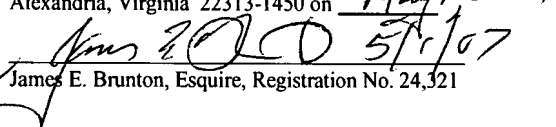
For the foregoing reasons, the Application as amended is now believed to be in condition for allowance and such favorable action is respectfully requested.

Respectfully submitted,


James E. Brunton, Esquire
Post Office Box 29000
Glendale, California 91203
(818) 956-7154
Registration No. 24,321

JB:ctr
Enclosures

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in the envelope addressed to Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on May 1, 2007


James E. Brunton, Esquire, Registration No. 24,321